

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JERRY PINKS, etc.,

Plaintiff,

-against-

M & T BANK,

Defendant.
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ORDER


LEWIS A. KAPLAN, *District Judge*.

Defendant moved to dismiss the complaint for failure to state a claim upon which relief may be granted. Magistrate Judge Ellis recommended that the motion be denied. Defendant failed to file any objection to the report and recommendation but, after expiration of the time within which to do so, sought in substance leave to file objections out of time. That motion remains pending.

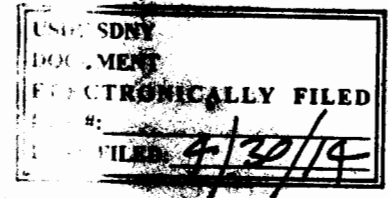
Defendant shall file the proposed objections no later than May 4, 2014. This direction does not determine whether the objections will be considered or whether defendant will obtain any relief. Rather, the Court wishes to have the proposed objections filed because they may be helpful in disposing of the two motions now pending before it.

SO ORDERED.

Dated: April 30, 2014



Lewis A. Kaplan
United States District Judge



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